

Patrick W. Turner General Counsel-South Carolina Legal Department

AT&T South Carolina 1600 Williams Street Suite 5200 Columbia, SC 29201

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March 26, 2008

The Honorable Charles Terreni Chief Clerk of the Commission Public Service Commission of South Carolina Post Office Drawer 11649 Columbia, South Carolina 29211

> AT&T South Carolina's Petition Requesting the Commission's Re: Intervention in NANPA NXX Code Assignments Docket No. ____

Dear Mr. Terreni:

BellSouth Telecommunications Inc. d/b/a AT&T South Carolina ("AT&T South Carolina") respectfully encloses for filing a Petition for Review of NXX Code Denial in the Greenville Rate Center in the above-captioned matter.

By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml Attachment 707290

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

In Re:	AT&T SOUTH CAROLINA'S)	
	PETITION REQUESTING THE COMMISSION'S) DOCKET NO	
	INTERVENTION IN NANPA NXX CODE)	
	ASSIGNMENTS)	

PETITION FOR REVIEW OF NXX CODE DENIAL IN THE GREENVILLE RATE CENTER

BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina ("AT&T South Carolina"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of AT&T South Carolina's application for use of central office code numbering resources in the 864 area code. The denial that is the subject of this Petition impacts AT&T South Carolina customer, Greenville County School District.

In support of this Petition, AT&T South Carolina states:

- 1. AT&T South Carolina is a telephone utility that provides certain services that are regulated by the Commission. Among other things, it provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Greenville exchange.
- 2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).

- 3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104"). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.
- 4. Among other things, the FCC required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.
- 5. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. <u>Id.</u>

- 6. On or about March 7, 2008, AT&T South Carolina submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of the ten thousand number block in the (864) 356 NXX, or the (864) 354 NXX, or the (864) 357 NXX to go with its customer's existing dialing plan in the Greenville, South Carolina exchange. The requested NXXs are listed in order of the customer's preference, and they are needed to meet the numbering demands of Greenville County School District. This customer is requesting these telephone number blocks for, among other things, the upcoming addition of five schools. As AT&T South Carolina does not have the existing numbers to meet the customer's request, it is requesting that the numbers be assigned to it. Exhibit A is a redacted copy of the customer's letter.
- 7. AT&T South Carolina's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and AT&T South Carolina filled out the necessary Month-to-Exhaust Certification Worksheets as required.
- 8. At the time of the filing of the Code request, the Greenville Rate Center had an MTE of 47.45 months and a utilization of 75.04 %. *See* Exhibit B.
- 9. Thereafter, also on March 7, 2008, NANPA's Central Office Code Administration denied AT&T South Carolina's request because AT&T South Carolina had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied AT&T South Carolina's code requests despite the fact that AT&T South Carolina does not have adequate numbering resources needed to satisfy this customer's demands in the Greenville Rate Center. NANPA's response is also included as part of Exhibit B.

- 10. AT&T South Carolina's inability to provide this important customer with the requested numbers prevents AT&T South Carolina from providing the quality of service this customer desires, needs, and expects. If AT&T South Carolina is not assigned the NXX ten thousand number blocks needed to meet the customer's request, AT&T South Carolina will be unable to provide telecommunications services requested by its customer. NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.
- 11. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").
- 12. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet

the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." <u>Id</u>.

- 13. AT&T South Carolina requests that the Commission reverse NANPA's decision to withhold numbering resources from AT&T South Carolina because that decision interferes with AT&T South Carolina's ability to provide telecommunication services to its customers as required under South Carolina law.
- 14. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to AT&T South Carolina to meet customer needs.

WHEREFORE, AT&T South Carolina requests that the Commission:

- 1. Reverse the decision of NANPA to deny AT&T South Carolina's request for additional numbering resources;
- 2. Direct NANPA to provide the (864) 356 or (864) 354 or (864) 357 ten thousand number block for the Greenville, South Carolina Rate Center (the requested NXXs are listed in order of preference); and

3. Grant the requested relief as soon as possible.

Respectfully submitted this <u>26</u> day of March, 2008.

Patrick W. Turner

Suite 5200

1600 Williams Street

Columbia, South Carolina 29201

(803) 401-2900

ATTORNEY FOR AT&T SOUTH CAROLINA

707278

EXHIBIT A



Jim Alexander 100 Blassingame Rd Greenville SC, 29605 March 17, 2008

To Whom It May Concern:

With the upcoming addition of five new schools and the popularity of personal faxing, The School District of Greenville County's current block of ten thousand DID numbers is rapidly being exhausted. In order to ensure that our District has the necessary numbers for future growth, I would like to respectfully request that AT&T reserve a second ten thousand block of DID numbers for Greenville County Schools.

It is understood that selecting a specific number may not be possible however; in the event a number can be selected our preferred choices are listed below in order of preference:

864-356-XXXX 864-354-XXXX 864-357-XXXX

Please know that for our purposes, the number in the sixth position from the left cannot end with the number five. Examples: 864-345-XXXX, 864-325-XXXX or 864-435-XXXX.

Sincerely

Jim Alexander

Director of Systems Support

The School District of Greenville County

EXHIBIT B

Pooling Administration System aida.armesto@att.com (SP) Sign Out Time: 03/07/2008 02:27:00 PM EST Printable Version + திIndividual Block Requests Central Office Code (NXX) Assignment Request + [3]CO/NXX Code Part 1 December 9, 2005 Requests + [4]Confirm Resources Tracking In Service 864-GREENVILLE-SC-191122 Number: + ဩDonate Blocks **Full NXX:** + 🖺Submit Forecast **Dedicated** Customer + 🖺 Search Forms Type of Change + 🖺 Reports Delete New Application: + 🖼 User Profile 1.0 GENERAL INFORMATION 1.1 Contact Information: Code Applicant: Company/Entity BELLSOUTH SO BELL Headquarters 2600 Camino Ramon Address: City, State, Zip: San Ramon, CA, 94583 Contact Name: Aida Armesto Contact 600 NW 79 Ave Address: City, State, Zip: Miami, FL, 33182 E-305-260-8205 FAX: 305-264-2918 Phone: mail: aida.armesto@att.com Code Administrator:² Name: Michael Ortega 46000 Center Oak Piaza Address: City, State, Zip: Sterling, VA, 20166 Phone: 571-434-5348 FAX:571-434-5502 1.2 NPA: **864** NXX:³ OCN:49417 LATA: 430 Parent Company's OCN(s) 9400 Switching Identification(Switch Entity/POI) 5GNVLSCWR28F Locality/City/Wire Center: Center:6GREENVILLE Homing Tandem Operating Co: 7BST Tandem Homing CLLI⁸: GNVLSCDT60T Request Effective Date: 9 10 1.3 Dates: Date of Application:03/07/2008 05/19/2008 1.4 a) Type of company/entity requesting the code: (LEC, IC, Wireline CMRS, Other) Incumbent Local Exchange Carrier (ILEC) b) Types of service. Cellular - Type 2) Code Assignment Preference (Optional) Their first choice are TN's that start with 864 356-xxxx; 2nd choice is 864 354-xxxx; 3rd choice is 864 357-xxxx.

- d) Codes that are undesirable, if any The following choices won't work: 864 235-xxxx; 864 345-xxxx; 864 865-xxxx. Anything with an NXX that ends with a "5" will NOT work.
- e) Type of change(Mark all that apply)

OCN-Intra-company¹¹

Switching Id

Rate Center

Tandem

Homing CLLI

OCN-Inter-company¹² Reservation

Effective Date

LATA

Extend

1.5 Type of Request (Initial, growth, etc.)

Growth

If an initial code, attach(1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pooling Indicator: 13

Yes

...

1.6 NPA Jeopardy Criteria Apply:

Yes No

1.7 Code request for new service (Explain):

1.8 Part 2 is attached

Part 2 is not attached

X for BIRRDS 14 15

Additional Documentation is attached

Additional Documentation is not attached

Х

Comments

NEW CODE REQUEST FOR DEDICATED CUSTOMER-GREENVILLE COUNTY SCHOOLS

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (http://www.atis.org/atis/clc/inc/incdocs.htm) as of the date of this application: ¹⁶

Aida Armesto

Signature of Code Applicant

Associate Tech

Cur

Support 03/07/2008

Analyst Network

TOLWOIR

Title

Date

¹Identify type and reason for change(s) in Section 1.4(e).

²A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

 $^{^3}$ The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (973-884-8355) to be assigned a Company Code(s). Since multiple OCNs and/or

Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the TelcordiaTM Routing Administration (TRA) on 732-699-6700.

⁵This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character TelcordiaTM COMMON LANGUAGE CLLITM Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.)

⁶Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

⁸This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLITM Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

¹⁰Requests for code assignment should not be made more than six months prior to the requested effective date.

¹¹Select if you are the current Code Holder

¹²Select if you are not the current Code Holder

¹³The Applicant will indicate "YES" if the NXX being requested will be used for thousandsblock number pooling and will leave this field blank if it is not.

¹⁴Applicant is not required to submit Part 2 of the code request form if it is doing its own TelcordiaTM Business Integrate Routing and Rating Database System (BIRRDS) entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.

¹⁵WARNING! It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDS. The 45 calendar day nationwide minimum interval cut-over for BIRRDS will not begin until input into BIRRDS has been completed.

¹⁶An incomplete form may result in delays in processing this request.

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Pooling Administration System aida.armesto@att.com (SP) Sign Out Time: 03/07/2008 02:26:27 PM EST ٦ Printable Version + Allndividual Block TBPAG Attachment 1 - March 19, 2007 Requests PLCO/NXX Code Requests Thousands-Block Application Form - Part 1A + [٩]Confirm Resources In Service + 🖰 Donate Blocks Tracking **GREENVILLE-**Number: + B-Submit Forecast SC-191122 + B-Search Forms **Full NXX: Dedicated** + 🖰 Reports Customer + 🖼 User Profile Type of New Change ' Application: Disconnect **GENERAL APPLICATION INFORMATION** 1.1 Contact Information: **Block Applicant:** Company **BELLSOUTH SO BELL** Name: Headquarters 2600 Camino Ramon Address: City, State, San Ramon, CA, 94583 Zip: Contact Aida Armesto Name: Contact 600 NW 79 Ave Address: City, State, Zip: Miami, FL, 33182 Phone: 305- FAX: 305-E-mail: aida.armesto@att.com 260-8205 264-2918 Pooling Administrator:ii Contact **Dora Wirth** Name: Contact 1800 Sutter St Address: City, State, Zip: Concord, CA, 94520 Phone: 925-363-8706 FAX: 925-363-7684 E-mail: dora.wirth@neustar.com 1.2 General Information: LRN needed iii Check one: No LRN needed X MPA: 864 LATA. 430 OCN. 9417 Parent Company's OCN 9400 Number of Thousands-Blocks Requested: 10 Switching Identification(Switch Entity/POI): **GNVLSCWR28F** Rate

City or Wire Center Name : Rate Center Sub Zone:

Center:vi GREENVILLE

1.3 Dates:

Date of Application:vii

Requested Block Effective Date: viii

03/07/2008

05/19/2008

Request Expedited Treatment? (See Section 8.6) Yes No X

1.4 Type of Service Provider Requesting the Thousands-Block:

a) Type of Service Provider : Incumbent Local Exchange Carrier (ILEC) (LEC, IXC, CMRS, Other)

b) Primary type of service Blocks to be used for : Wireline

- c) Thousands-Block(s) (NXX-X) assignment Preference (Optional) Their first choice are TN's that start with 864 356-xxxx; 2nd choice is 864 354-xxxx; 3rd choice is 864 357-xxxx.
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any The following choices won't work: 864 235-xxxx; 864 345-xxxx; 864 865-xxxx. Anything with an NXX that ends with a "5" will NOT work. .
- e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

 N/A

1.5 Type of Request:

Initial block for rate center: Yes If Yes, attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center: Yes X If Yes, attach months to exhaust worksheet

Type of change(Mark all that apply)

OCN:Intra-companyix Switching Id Part 1B

OCN:Inter-company^X Effective Date

Change block : Yes If Yes , list NPA-NXX-X

1.6 Block Return:

- a) Is this block Contaminated Yes No
- b) If Yes how many TNs are NOT available for assignment:
- c) Have all new Intra SP ports been completed in the NPAC Yes No
- d) Has this block been protected from further assignment Yes No

Disconnect block : Yes If Yes , list NPA-NXX-X

Remarks: NEW CODE REQUEST FOR DEDICATED CUSTOMER-GREENVILLE COUNTY SCHOOLS

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines(ATIS-0300066) available on the ATIS web site (http://www.atis.org/inc) or by contacting inc@atis.org as of the date of this application.

Aida Armesto

Associate

Tech 03/07/2008

Support Analyst Signature of Block Applicant

Network

Title

Date

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail. Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a

CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia TM LERG TM Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by TelcordiaTM Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLITM tandem of the facilities based provider xi. Explanations of these terms may be found in the footnotes

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. The also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Foot Notes:

Identify the type of change(s) in Section 1.5.

ⁱⁱThe Pool Administrator is available to assist in completing these forms.

iiiA CO Code application will also need to be submitted to the PA.

ivOperating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).

^vThis is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM code of the switch /POI.

viRate Center name must be a tariffed Rate Center.

viiAcknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An occupiete from may result in delays in processing this request

viii Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the network prior to the effective date of the block(s).

ix Select if you are the current Block Holder.

Pooling Administration System		Page 4 of 4
	* Select if you are not the current Block Holder " Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.	
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Pooling Administration System aida.armesto@att.com (SP) Sign Out Time: 03/07/2008 02:26:00 PM EST įς. Printable Version + ក្រៀndividual Block Appendix 3 August 6, 2001 Requests MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level 1 + AJCO/NXX Code (Thousands-Block Number Pooling Growth Block Request) Requests + ra∐Confirm Resources In Service Tracking Number: 864-GREENVILLE-SC-191122 + 🖺 Donate Blocks Date: 03/07/2008 Company Name: BELLSOUTH SO BELL OCN:9417 + P-Submit Forecast + 🖺 Search Forms Rate Center: GREENVILLE + 🕒 Reports + 🖭 User Profile List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s): Signature: Aida Armesto Name of Block Applicant: Aida Armesto Telephone No.: 305-260-8205 Title: Associate Tech Support Analyst Network FAX No.: 305-264-2918 E-mail: aida.armesto@att.com A. Available Numbers:83693 B. Assigned Numbers: 339898 C. Total Numbering Resources: 452949 D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation:0 List Excluded Code(s) or Block(s): Month #11 #12 #1 #2 #3 #4 #5 #6 #7 #8 #10 E. Growth History -107 106 88 103 134 42 Previous 6 months² F. Forecast - Next 12 97 97 10097 97 97 97 97 97 97 97 months³ Average Monthly Forecast (Sum of months 1/9 (Part Flabove) divided by 0). 1763.667 H. Months Numbers Available for Assignment to Customers(A) Exhaust⁴

Average Monthly Forecast(G) **Block Requested Available Numbers** Months To Exhaust 1 83693 47.454 Utilization⁵ Assigned Numbers(B) - Excluded Numbers(D) X 100 = 75.041 Total Numbering Resources(C)-Excluded Numbers(D) Explanation: APPLICATION FOR A FULL NXX FOR A DEDICATED CUSTOMER-**GREENVILLE COUNTY SCHOOLS** ¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document. ²Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month. ³Forecast of TNs needed in each following month, starting with the most recent month as Month #1. ⁴To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, section 52.15 (g) (3) (iii)). ⁵Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))Back Question? Email us

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aida.armesto@att.com (SP)	Pooling Administration System • Sign Out
	Time : 03/07/2008 02:17:39 PM EST
ما ا	Time : 03/07/2006 02.17.39 PW EST
+ []Individual Block Requests + []CO/NXX Code Follosts + []Confirm Resources In Service	Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued) ¹
+ 🗓 Donate Blocks	Salast One Ontion and Submit
+ 🖺 Submit Forecast	Select One Option and Submit
+ 🖺 Search Forms	Return to the Months To Exhaust Form
+ 🖺 Reports	Need to request a State Waiver
+ 🖭 User Profile	Received a State Waiver
	Received a State vvalver
	Submit Cancel
ĺ	
	Question? Email us

nida.armesto@att.com (SP)		2008 02:25:05 PM EST		
الم Individual Block	November 21, 2002			Pri
Requests	November 21, 2003 ATIS-0300066.at3			Attachment
ച്ച്CO/NXX Code		Administrator's Re	esponse/Confirmat	tion
Requests ଧ୍ରାConfirm Resources	Pooling Administrator's Response/Confirmation TBPAG Part 3			
In Service				
Donate Blocks	Tracking Number :	864- GREENVILLE-SC		
Submit Forecast	Tracking Number .	191122	, -	
Search Forms			_	
Reports	Date of Application:	03/07/2008	Effective Date:	
LUser Profile	Date of Receipt:	03/07/2008	Date of Response:	03/07/2008
	Service Provider Name:	BELLSOUTH SO BELL		
	(Telcordia TM LERG TM Routing Guide) OCN:	9417		
	NPAC SOA SPID :			
	Name (print) Email:	dora.v	wirth@neustar.con	<u>n</u>
	NPA-NXX or NPA- NXX-X :		Block Assigned	d:
			Block Reserved	i :
			Block Reservati Expiration Date:	
			Block/Code Mo	dified :
			Block/Code Disconnected :	
	Block Contaminated(Yes or No) :			
	If Yes,enter the number of TNs contaminated :			
	Switch Identification(S	Switch Entity/POI): 1	GNVLSCWR	28F
	Rate Center:		GREENVILL	E
	Rate Center Sub Zon	e:		
	X Form Complete, request denied.			
	Form Complete, req	acot acinca.		
	Form Complete, req Explanation:	acot acinca.		

Pooling Administration System		Page 2 of 2
	Request withdrawn.	
	Explanation	
	Assignment activity suspended by the administrator.	
	Explanation	
	Remarks	
	¹ This is an eleven-character descriptor provided by the owning entity for the purpose	of
	resting calls. This must be the CLLL TM Location Identification code of the switching entity/POI shown on the Fart 1A form (Telcordia LERG ROUTING Guide and CLLL are trademarks of Telcordia Technologies,Inc.)	
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Turner, Patrick

From:

Foshee, Lisa

Sent:

Friday, March 07, 2008 3:15 PM

To:

Mchenry, Victoria; Semmes, Francis; Edenfield, Kip; Mays, Meredith; Turner, Patrick; Rankin,

Edward; Keyer, Mary; Hicks, Guy

Cc:

Harralson, James

Subject:

FW: fax from HP9100 Digital Sender

Attachments:

fax from.pdf



Folks:

The following inquiry stems from an initiative undertaken by the Regulatory Policy group. As you will see, it involves the question of whether the business unit can lead with an offer of U-verse voice as opposed to TDM. Please note that this is not the COLR question with which we dealt last year -- rather, these scenarios will apply in a world in which we can offer both VoIP and TDM and seeks to assess what issues, if any, may arise if we push VoIP as the primary product offering.

For your information I also have attached the memo that summarized this question for the 13 colonies back in 2005. As you will see, the scenarios were somewhat different at that time but I think the memo is still helpful.

Sorry to ask yet more questions. If it is ok with Jim, we could discuss this on the next Tuesday call if folks would find it helpful to think through the issues as a group.

Thanks for everything as always.

THE QUESTION:

ATAT'S Regulatory Policy group has been asked to provide guidance to the business unit concerning whether, and under what conditions, AT&T Telco customer service reps (CSRs) can lead with an offer of U-verse Voice (Project Lightspeed VoIP information service) as opposed to an offer of basic local service or "TDM" in response to an inbound customer call. The purpose of this e-mail is to request your assistance in analyzing the issue from a legal and regulatory perspective.

Legal Background

ATAT's U-verse services include IP-based data, video and voice (VoIP) service. It is $\Lambda \P \Psi'$'s position that all of these services are information services; they are not telecommunications services. In its Vonage Order, the FCC determined that VoIP is to be regulated as an interstate service. Therefore, state commissions (as a general matter) may not require compliance with state regulatory requirements for the provision of local telephone service as a condition to the Telco's offering of VoIP service within their states.

Call Center Structure/Ordering Scenarios and Questions

Inbound orders for U-verse services will be handled by a group of specially-trained CSRs iccated in the main call centers. Although the primary focus of these CSRs will be selling U-verse services, they also will be capable of selling TDM voice services to customers who do not want U-verse Voice services.

1. Scenario: If the customer's address is found to be within a U-verse Voice eligible area, the call will automatically be routed to a specially-trained CSR, who will lead with a bundled U-verse TV, Internet, and Voice offer. Only if the customer indicates that he/she is not interested in U-verse Voice will the CSR discuss TDM services and

provide all required telecommunications service disclosures, including the availability of Lafeline and/or lowest-priced alternatives.

Question: Are there any state rules/regs/statutes that would prohibit (or otherwise impact) the Telco from automatically routing the call to the U-verse CSRs, and leading with a bundled U-verse offer, including an offer of VoIP? If so, please provide those rules, together with your analysis of how they would act to prohibit or otherwise impact the ability of the Telcos to handle calls in this manner.

Scenario: Same facts as above, except that the CSR will offer U-verse Voice only if it is determined that the caller wants to hear about U-verse Voice service. That determination will be made either via an IVR prompt, which will require the customer to choose between hearing about traditional telephone service and hearing about digital voice service, or via the CSR, who will offer the caller the same alternatives.

Question: Are there any state rules/regs/statutes that would prohibit (or otherwise impact) the Telco from offering U-verse Voice as described in this scenario? If so, please provide those rules, together with your analysis of how they would act to prohibit or otherwise impact the ability of the Telcos to handle calls in this manner.

3. Scenario: Advertising and marketing materials for U-verse Voice will display a unique 800# number and clearly demonstrate that the number is for calls related to U-verse services. Customers calling into that 800# will be presented with a U-verse offer, including VoIP. Only if the customer indicates that he/she is not interested in U-verse Voice and wants to hear about traditional telephone service would the CSR either handle the request or transfer the call to a rep who would.

Question: Are there any rules/regulations/state statutory provisions that would prohibit (or otherwise impact) the Telco from offering U-verse Voice as described in this scenario? If so, please provide those rules, together with your analysis of how they would prohibit or otherwise impact the ability of the Telcos to handle calls in this manner.

February 10, 2005

MS. WALES:

Re: <u>Project Lightspeed VoIP Offer Strategy</u>

This memo responds to a request from the Regulatory Policy group for a 13-state legal and regulatory scan concerning the proposed offer strategy for Project Lightspeed services.¹

Background Facts

SBC's Regulatory Policy group has been asked to provide guidance to the business unit concerning whether, and under what conditions, SBC Telco customer service reps (CSRs) can lead with an offer of Project Lightspeed VoIP information service (as opposed to an offer of basic local service or "TDM") in response to an inbound customer call.

Based on information gathered through discussion with a number of internal work groups, we anticipate that inbound orders for Lightspeed services, including VoIP, will be handled by a group of specially-trained CSRs located in the main call centers. Although the primary focus of these CSRs will be selling Lightspeed services, they also will sell TDM voice service to customers who want the Lightspeed video and/or data product but, for whatever reason, do not want VoIP voice service.

SBC's marketing organization has proposed handling inbound calls for new service by directing the call to a Lightspeed CSR, who then will lead with a bundled offer of Lightspeed services, including VoIP, data and video. If the customer declines VoIP, the Lightspeed CSR then would offer a bundle of Lightspeed data and video service, together with TDM voice.

Legal Background

It is SBC's position that the Project Lightspeed services are interstate information services and are not telecommunications services. In its Vonage Order, the FCC determined that VoIP is to be regulated as an interstate service. Therefore, state commissions (as a general matter) may not require compliance with state regulatory requirements for the provision of local telephone service as a condition to the Telco's offering of VoIP service within their states.

However, the state commissions do continue to regulate the sales of local and intrastate long distance services. Because Lightspeed services will be sold out of the Telco call centers, and because the Lightspeed bundles may contain a local telecommunications component, state regulation of local telecommunications needs to be considered in connection with the Lightspeed offer strategy. The states would have jurisdiction to investigate our VoIP sales practices in the event of a complaint by a caller that he/she was not appropriately advised of the availability of local telecommunications services.

Oklahoma's response to the scan is not yet complete, and so is not included in this summary.

In this regard, Indiana, Ohio, Texas, and Wisconsin, all have state regulations that require the SBC Telcos to provide callers inquiring about telecommunications services with information concerning the most economical service offering. In addition, Illinois, Ohio, Texas and Wisconsin require the Telcos to provide eligible callers with information concerning the availability of telephone assistance programs such as Lifeline service. These states, as well as several others, also have consumer protection and/or deceptive trade practice statues that could impact a "lead with VoIP" offer strategy.

Survey Questions/Summary Responses

Based on the foregoing, three ordering scenarios were presented to the state regulatory attorneys, who were asked to confirm whether state statutes or regulations would prohibit or otherwise impact the scenario. If so, the attorneys were asked to provide their legal analysis as to the impact.

Scenario One

In the first scenario, the attorneys were asked to assume that calls to the main business office telephone number would be routed to Lightspeed CSRs based solely on whether the customer's address was located within a Lightspeed-eligible area. The CSR would lead with a bundled Lightspeed order. If no questions concerning TDM voice were raised by the caller, the call would end with no offer of TDM voice services. If the customer indicated that he/she was not interested in VoIP, the CSR then would offer TDM voice service as part of a Lightspeed bundle, subject to all state regulatory requirements that apply to the sale of TDM. Once the caller posed any question related to the Telco's standard voice service, all rules that apply to the offer of such service would be followed.

Summary Response: This scenario would be acceptable from a regulatory perspective in Arkansas, Kansas, Missouri and Michigan. Kansas provided the following clarification, which likely applies to all four states:

Implicit in this advice is the assumption that: (1) all features and functionalities of the VoIP service will be disclosed to the customer, including the extent to which the customer has access to 911 service; and (2) that in making a "lead" offer of VoIP, SBC will still offer POTS service to the customer upon request, or after the customer refuses the VoIP service.

This approach would not be acceptable in California, Illinois, Indiana, Nevada, Ohio and Texas. Because the call is to the business office number, and no inquiry is made to determine whether the customer is calling about Project Lightspeed services prior to the offer being made, the rules in those states for offering telecommunications services (i.e., including, where applicable, leading with the lowest price offer and/or advising of the availability of lifeline service) would need to be followed.

This offer strategy would be acceptable in Connecticut and Wisconsin, if the customer was also offered TDM alternatives prior to completion of the sale. With the proposed routing in place, the call could not begin and end with a VoIP offer.

Scenario Two

In the second scenario, the attorneys were asked to assume that calls to the main business channel would only be routed to the Lightspeed CSRs if the caller was located in a Lightspeed eligible area, and the determination was made that the caller was seeking to inquire about Project Lightspeed services. Once the call was delivered to the Lightspeed CSR, a "lead with VoIP" offer would be made as described in the first scenario. The reason for the call would be determined up front based on IVR prompts and/or queries from main channel service reps designed to elicit up front whether the caller is calling about Lightspeed information services or telecommunications services.

The attorneys also were advised that marketing recognized these prompts/scripts would need to be very specific to Lightspeed and to VoIP, clearly distinguishing the information services from telecommunications services. Also, the prompts/scripts must fairly seek to determine the customer's intent without influencing the response.

Summary Response: All states, with the exception of Texas, indicated that this approach should be acceptable under their state regulations, or at least presented less risk than scenario one. Several states noted that the risk assessment was subject to the caveat that the IVR prompts/script questions must be sufficiently clear to confirm that the customer is interested in VoIP as opposed to telecommunications services. A final opinion will need to await review of the prompts/scripts.

California noted that the IVR was preferable to scripts for the call center reps, and suggested the following wording for the IVR.

Press 1 if you are calling to order new local phone service; Press 2 if you are interested in SBC's new Lightspeed IP-based digital voice, video and/or data information services.

Although not specifically referenced in the state analyses, all of the attorneys likely would agree with California that having the IVR telecommunications questions precede the Lightspeed questions is the best alternative, and that the IVR presents less of a risk than manually referring the calls to the Lightspeed CSRs.

Texas concludes that risks for this scenario are the same as for scenario one. Accordingly, the Lightspeed CSRs should lead with the lowest price offer for local telecommunications services.

Scenario 3

In the third scenario, the attorneys were asked to assume that the SBC Telcos will maintain "Lightspeed 800 #" or other direct dialing method that will only be used for Lightspeed services. All advertising and marketing for this number will clearly demonstrate that it is to be used for ordering Project Lightspeed information services. Calls to that number will go directly to the Lightspeed CSRs, who will proceed with a VoIP offer as outlined in the other scenarios. In addition, the Lightspeed CSR will transfer the customer back to the main channel for handling in accordance with the applicable rules if the rep determines that the caller originally intended to

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call the business office with a question related to telecommunications service, but dialed the Lightspeed 800# by mistake.

Summary Response: With the exception of Texas, all of the states indicated that this approach should be acceptable under their state regulations, again subject to the understanding that the marketing/advertising and use of the number are clearly directed at information services and not telecommunications services.

Texas concludes that risks for this scenario are the same as for scenario one. Accordingly, the Lightspeed CSRs should lead with the lowest price offer for local telecommunications services.

The questions submitted to the states for response, and the specific replies provided, appear in the attachment to this memo. In addition to state-specific responses, several states provided general legal guidance which should be carefully considered as the offer strategy is developed.

If you have any questions, please don't hesitate to contact me.

Kelly M. Murray General Attorney

CC:	Ms. Attwood	Mr. Lane
• • •	Mr. Ballo	Mr. Leahy
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	Ms. Jenkins	Mr. Varela
	Mr. Kelly	Mr. Young

STATE OF SOUTH CAROLINA)	
)	CERTIFICATE OF SERVICE
COUNTY OF RICHLAND)	

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for AT&T South Carolina ("AT&T") and that she has caused AT&T's Petition for Review of NXX Code Denial in the Greenville Rate Center to be served by the method indicated below upon the following this March 26, 2008:

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